

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

Sharmaine L. Henry,

Plaintiff,

vs.

Clarendon County Department of
Social Services,

Defendant.

No. 2:12-cv-565-RMG

ORDER

This matter comes before the Court on motions by Defendant Clarendon County Department of Social Services to dismiss this employment discrimination action. (Dkt. Nos. 41, 52). After careful review, the Court dismisses this action with prejudice.

This action was originally filed on February 28, 2012. (Dkt. No. 1). Pursuant to 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02(B)(2) DSC, this case was assigned to a Magistrate Judge. On March 8, 2013, the Magistrate Judge issued a Report and Recommendation (“R&R”) recommending that this action “be dismissed *with prejudice* for lack of prosecution and for failure to comply with this Court’s orders, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure and the factors outlined in *Chandler Leasing Corp. v. Lopez*, 669 F.2d 919, 920 (4th Cir. 1982).” (Dkt. No. 54 at 2). Plaintiff failed to file any objections to that R&R.

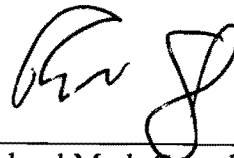
The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261, 270–71 (1976). Nevertheless, in the absence of specific objections

to the R&R, this Court need not give any explanation for adopting the Magistrate Judge's analysis and recommendation. *See Camby v. Davis*, 718 F.2d 198, 200 (4th Cir. 1983).

The Court has reviewed the Magistrate Judge's analysis and concludes that it correctly applies the applicable law to the operative facts. In particular, the Court notes that, despite direct instructions by the Magistrate Judge, Plaintiff has not filed any pleading since her counsel withdrew and she began proceeding *pro se* in October 2012. (Dkt. No. 31).

Accordingly, the Court adopts the Magistrate Judge's Report and Recommendation, GRANTS Defendant Clarendon County Department of Social Services' latter motion to dismiss, (Dkt. No. 52), and dismisses this action with prejudice. Defendant's earlier motion to dismiss is now moot, (Dkt. No. 41), as is its Objection to an earlier order by the Magistrate Judge, (Dkt. No. 50).

AND IT IS SO ORDERED.



Richard Mark Gergel
United States District Judge

Charleston, South Carolina
April 1, 2013